

Message Text

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ACTION STR-07

INFO OCT-01 AF-10 ISO-00 EB-08 NSC-05 TRSE-00 CEA-01
STRE-00 CIAE-00 COME-00 INR-10 LAB-04 NSAE-00
SIL-01 /047 W
-----006291 090108Z /70/23
P 071515Z AUG 78
FM AMEMBASSY LAGOS
TO SECSTATE WASHDC PRIORITY 9917

UNCLAS LAGOS 9773

C O R R E C T E D COPY - PARA 2

E.O. 11652 : NA
TAGS : ETRD, ELAB, NI
SUBJ : REQUEST FOR INFORMATION ON LABOR STANDARDS

REF: A) STATE 136706; B) STATE 194523

1. PARAS 3 (A) AND (B), REFTEL A. THE 1974 LABOR DECREE PROVIDES FOR THE PROTECTION FROM FORCED LABOR AND REGULATES CHILD LABOR. SECTION 72 OF THE DECREE PROHIBITS FORCED LABOR AND SECTION 58 FORBIDS THE EMPLOYMENT OF CHILDREN IN ANY CAPACITY EXCEPT WHERE EMPLOYEED BY A MEMBER OF HIS FAMILY ON LIGHT WORK OF AN AGRICULTURAL, HORTICULTURAL OR DOMESTIC CHARACTER APPROVED BY THE COMMISSION OF LABOR, THUS RELECTING THE CONTINUED IMPORTANCE OF THE EXTENDED FAMILY PATTERNS IN NIGERIA. SECTION 30 OF CHILDREN AND YOUNG PERSONS LAW OF 1958, CURRENTLY BEING REVISED, PROHIBITS DEALING IN CHILDREN OR PLACING CHILDREN IN MORAL DANGER INCLUDING SLAVERY, CHILD BONDAGE, AND PROSTITUTION.

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2. PARA 3(C), REFTEL A. THE 1958 LAW GOVERNING FACTORIES PROVIDES FOR THE PROTECTION AND SAFETY OF WORKERS EXPOSED TO PHYSICAL HAZARDS AND TOXIC SUBSTANCES. SECTION 62 OF THE FACTORIES ORDINANCE EMPOWERS THE MINISTER (COMMISSIONER) TO EXTEND APPLICATION OF THE PROVISIONS TO WARE-

HOUSES, WETDOCKS, BUILDING CONSTRUCTION AND
ENGINEERING CONSTRUCTIONNM SECTION 69 PROVIDES
FOR THE APPOINTMENT OF A CHIEF INSPECTOR.

CURRENTLY THE CHIEF INSPECTOR HAS REQUESTED AN
INCREASE IN THE NUMBER OF INSPECTORS AND
BEGINNING IN JULY 1978 THE RECENTLY CONSTITUTED
NATIONAL LABOR ADVISORY BOARD WILL BEGIN THE
PROCESS OF REVISING THE 1958 FACTORY ORDINANCE
IN KEEPING WITH THE NEW INDUSTRIES AND
TECHNOLOGY BEING DEVELOPED IN NIGERIA. DISCUSSIONS
WITH LABOR MINISTRY OFFICIALS CONCERNING CURRENT
PRACTICES REVEAL THAT IN MOST CASES WITHIN
THE URBAN AREAS, PARTICULARLY LAGOS, HEALTH AND
SAFETY ARE BELOW STANDARD BECAUSE OF THE
RELATIVELY RECENT GROWTH IN INDUSTRY AND POPULA-
TION, WITHOUT THE CONCURRENT INCREASE IN THE
NUMBER OF INSPECTORS. LACK OF PLANNING COUPLED
WITH THE RAPID GROWTH IN INDUSTRY AND POPULATION,
HAS OVERWHELMED CRUCIAL URBAN SYSTEMS SUCH AS
ELECTRIC POWER, WATER AND SEWAGE, HEALTH AND
WELFARE, AND COMMUNICATIONS. WHILE THE FMG
DESPERATELY TRIES TO REPAIR EACH SYSTEM TO MEET
FUTURE DEMAND, CURRENTLY ONLY "SQUEKING WHEELS"
RECEIVED ATTENTION. NEW INDUSTRIAL AREAS ADJ G
QUICKLY CONGESTED WITH SMALL TRADING SHIPS AND
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MARKET COOPERATIVES FOR WHICH NO LAW HAS BEEN
PROMULGATED, THEREBY ADDIING TO BELOW STANDARD
CONDITIONS.

3. PARA 3(D), REFTTEL A. THE FMG HAS
COMPLETELY REORGANIZED THE NIGERIAN TRADE UNION
MOVEMENT DURING THE PAST YEAR, CREATING 43
INDUSTRY BASED JUNIOR STAFF UNIONS, 17 INDUSTRY
BASED SENIOR STAFF UNIONS AND AN UMBRELLA NIGERIA
LABOR CONGRESS. STRIKESARE BANNED IN "ESSENTIAL
SERVICES, " WHICH IS INTERPRETED TO MEAN ALL MAJOR
EMPLOYERS. HOWEVER, MAJOR STRIKES WERE CALLED
LAST WINTER BY SHELL-BP AND PEUGEOT WORKERS.

FORMER FEDERAL COMMISSIONER OF LABOR ADEFOPE HAS
REPORTED THAT APPROXIMATELY 600,000 MAN-DAYS
WERE LOST OWING TO 453 STRIKES BETWEEN AUGUST
1975 AND JULY 1977.

4. THE NIGERIAN ENTERPRISES PROMOTION DECREE OF
1977, COMMONLY CALLED THE INDIGENIZATION DECREE,
DOES NOT APPLY DIFFERENTIAL LABOR REGULATIONS

OR STANDARDS TO FOREIGN MANUFACTURING. HOWEVER,
IT DOES ATTEMPT TO PROMOTE AND PROTECT NIGERIAN
PARTICIPATION IN ALL AREAS OF THE ECONOMY BY
RESTRICTING ALIEN INVESTMENT AND OWNERSHIP TO
CERTAIN CATEGORIES, ENCOURAGING THE ABSORPTION
OF THE URBAN UNDEREMPLOYED BY RESERVING EXCLUSIVELY
FOR INDIGENOUS EXPLOITATION THOSE ENTERPRISES
LISTED IN SCHEDULE 1 OF THE DECREE.

5. THE LAWS AND DECREES REFERRED TO ABOVE APPLY
TO THE ENTIRE ECONOMY RATHER THAN JUST EXPORT
AND IMPORT SUBSTITUTING SECTORS. RELEVANT
SECTIONS OF THE LAWS AND DECREES ARE BEING
FORWARDED UNDER COVER OF AN AIRGRAM.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: LABOR, STANDARDS
Control Number: n/a
Copy: SINGLE
Draft Date: 07 aug 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 jan 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978LAGOS09773
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780329-0152
Format: TEL
From: LAGOS
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780892/aaaaczjx.tel
Line Count: 137
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: a36e9a67-c288-dd11-92da-001cc4696bcc
Office: ACTION STR
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: 78 STATE 136706, 78 STATE 194523
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 29 mar 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: N/A
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1821246
Secure: OPEN
Status: NATIVE
Subject: REQUEST FOR INFORMATION ON LABOR STANDARDS
TAGS: ETRD, ELAB, NI
To: STATE
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/a36e9a67-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014